

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

JORDAN ZITO,

Plaintiff,

v.

DEPARTMENT OF EMPLOYMENT
TRAINING AND REHABILITATION, et
al.,

Defendants.

Case No. 3:24-cv-00244-ART-CSD

ORDER ADOPTING R&R

(ECF Nos. 1, 13)

Pro se Plaintiff Jordan Zito sues the Nevada Department of Employment, Training, and Rehabilitation about receipt of funds related to the COVID-19 pandemic. Magistrate Judge Denney issued a Report and Recommendation (R&R) recommending dismissal of Plaintiff's claims with prejudice following Plaintiff's submission of an intent not to amend. (ECF Nos. 12, 13.) Plaintiff objected to the R&R based on the involvement of a Magistrate Judge in making a recommendation to the Court. (ECF No. 15.) The Court adopts the R&R in whole, dismisses Plaintiff's claims with prejudice, instructs the Clerk to enter judgment in favor of Defendants and close the case.

A District Court may "accept, reject, or modify, in whole or in part, the findings or recommendations made by [a] magistrate judge." 28 U.S.C. § 636(b)(1). Where a party timely objects to a magistrate judge's report and recommendation, then the court is required to "make a *de novo* determination of those portions of the [report and recommendation] to which objection is made." 28 U.S.C. § 636(b)(1).

The Court denies Plaintiff's objection because the Magistrate Judge had authority to issue a report and recommendation regarding Plaintiff's case. When a district judge refers a matter to a magistrate judge in the District of Nevada, the

1 Magistrate Judge must review it and file findings and recommendations for
2 disposition by the district judge. 28 U.S.C. § 636(b)(1)(B); L.R. IB 1-4. The
3 Magistrate Judge in this case issued findings and recommendations.

4 Plaintiff did not otherwise object to Judge Denney's analysis in the R&R.
5 The Court is not required to "review . . . any issue that is not the subject of an
6 objection" to an R&R. *Thomas v. Arn*, 474 U.S. 140, 149 (1985).

7 Accordingly, the Court:

8 Adopts the report and recommendation in full,

9 Dismisses Plaintiff's complaint with prejudice,

10 Dismisses all pending requests by Plaintiff as moot (ECF Nos. 4, 5, 11),

11 And instructs the Clerk to enter judgment in favor of Defendants and close
12 the case.

13
14 DATED THIS 29th day of October 2024.

15
16 

17 ANNE R. TRAUM
18 UNITED STATES DISTRICT JUDGE
19
20
21
22
23
24
25
26
27
28